

**Agenda for
City Council Members' "NOON" Meeting
Monday, August 14, 2000
Immediately Following Director's Meeting
Conference Room 113**

I. MINUTES

1. Minutes of "Noon" Council Members' Meeting for August 7, 2000.
2. Minutes of "Noon" Council Members' Meeting for June 19, 2000.
3. Pre-Council Meeting Minutes - RE: Antelope Valley - July 24, 2000.

II. COUNCIL REPORTS ON BOARDS, COMMITTEES, COMMISSIONS AND CONFERENCES

1. Public Building Commission (Camp/Seng)
2. Parks & Recreation Advisory Board Meeting (Cook)
3. ISPC Meeting (Fortenberry)
4. Board Of Health (Johnson) - CANCELLED - RESCHEDULED TO AUGUST 15TH!
5. Multicultural Advisory Committee (McRoy) - CANCELLED - NO AUGUST MEETING
6. PRT Meeting (Shoecraft) - HELD OVER FROM THE "NOON" AGENDA OF AUGUST 7TH - REQUESTED BY MR. SHOECRAFT
7. Indoor Ice Facility Task Force Meeting (Shoecraft) - HELD OVER FROM THE "NOON" AGENDA OF AUGUST 7TH - REQUESTED BY MR. SHOECRAFT

OTHER MEETINGS REPORTS:

III. APPOINTMENTS/REAPPOINTMENTS

1. Material from Jennifer Brinkman - RE: Boards and Commissions Upcoming Appointments (See Material).

IV. MEETINGS/INVITATIONS

1. E-Mail Invitation from Shirley Wasmundt, Coordinator, Daughters Of Zion – The Second Annual Back to School Rally is coming up soon. The Rally will be in the Multi-purpose Room at the Huntington School, 48th & Adams, on August 28, 2000 from 7:00 p.m. to 8:00 p.m.(See E-Mail Invitation).
2. Invitation to participate in Lower Platte River Corridor Alliance Local Government Committee - The first schedule meeting of the LPRCA Local Government Committee will be held at 10:00 a.m. on Wednesday, September 20, 2000 at the Lower Platte South NRD, 3125 Portia Street - Lunch will be provided - If you plan to attend they need to have confirmation no later than Sept. 15th (Gregory Fetterman at 476-2729)(See Invitation).
3. The Lincoln Chamber of Commerce will host its fifth annual Celebrate Business luncheon on Tuesday, September 12, 2000 at The Cornhusker Hotel in the Grand Ballroom - the event will start with an 11:15 a.m. reception followed by lunch and the awards program at Noon - RSVP to Tera Pugh, 436-2355 before Friday, September 1st (See Invitation).

V. COUNCIL MEMBERS

VI. REQUESTS OF COUNCIL FROM MAYOR - NONE

VII. MISCELLANEOUS

1. Discussion on the City Council postage for correspondence responses.
2. Council's update on Paul Malzer's hospitalization (Discussion if desired)(SEE NOTE).

VIII. ADJOURNMENT

MINUTES
CITY COUNCIL MEMBERS' "NOON" MEETING
MONDAY, AUGUST 14, 2000
CONFERENCE ROOM 113

Council Members Present: Jerry Shoecraft, Chair; Jeff Fortenberry, Vice-Chair; Jon Camp, Jonathan Cook, Cindy Johnson, Coleen Seng. **ABSENT:** Annette McRoy.

Others Present: Ann Harrell, Mayor's Office; Dana Roper, City Attorney; John Bradley, Assistant Planning Director; Joan Ray, Council Secretary; and Mark Andersen, *Lincoln Journal Star* Representative.

Prior to the Meeting Agenda being addressed, Chair Shoecraft called Mr. John Bradley of the City Planning Department forward to give an update on the PRTs Sub-Committee's Report on B-3 Zoning in older neighborhoods.

Mr. Bradley reported, in an overview, that B-3 is a special district that legitimized the existing neighborhood commercial areas that were already in existence when Lincoln began zoning back in the '40's. These are areas that you can really picture the similarities, such as Havelock, Uni Place, College View...the area along South Street between 9th and 17th Streets.

Mr. Bradley pointed out areas on the map he had for Council's consideration. [A copy of this map is included in the hand-out material Mr. Bradley presented to Council. [This information "B-3 Commercial District", which is a summarization of Mr. Bradley's presentation, plus a "Draft 2-Line#s Changed July 20,2000 to Chapter 27.33 of the LMC Re: B-3 Commercial District" are attached to these minutes].

Mr. Bradley noted that this is submitted as one solution to problems in the older parts of town. He noted that the sub-committee would continue to meet to further define additional problems that could be addressed by either a structured solution, or a regulatory solution. That will be an ongoing effort being worked on with the Problem Resolution Team, as we have been doing each month since January.

Mr. Bradley noted that he had discussed this with the Neighborhood Roundtable and indicated to them that this will be before the Planning Commission on September 6th. Mr. Bradley noted that this is coming forward and had wanted to brief the Council on this issue.

Mr. Shoecraft thanked Mr. Bradley for his presentation.

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Mr. Shoecraft, Council Chair, requested a motion to approve the above-listed minutes. Ms. Seng moved approval of the minutes, as presented. The motion was seconded by Jon Camp. The motion to approve the minutes, as presented, carried by the following vote: AYES: Jonathan Cook, Cindy Johnson, Jerry Shoecraft, Jeff Fortenberry, Coleen Seng, Jon Camp; NAYS: None; ABSENT: Annette McRoy

II. COUNCIL REPORTS ON BOARDS, COMMITTEES, COMMISSIONS AND CONFERENCES

1. PUBLIC BUILDING COMMISSION (Camp/Seng) Ms. Seng reported that they met last Tuesday night before the County Board had their Public Hearing on the budget. The meeting was short, then we went to a Public Hearing on the Budget for the Building Commission. That budget was approved, 5-0.

Mr. Camp made comments on the material they had received on Valentino's. There was a concern on the economics of continuing their food service. He noted that part of the concern was the over-estimation of the amount of business increase when the Hall of Justice was completed.

Ms. Seng reported on the flags being flown in front of the buildings complex, especially the POW Flag, which is in sad shape. Mr. Seng reported that County Commissioner Kathy Campbell went to a veterans group and they're going to take care of the POW flag replacement and maintenance of that flag thereafter.

Officers were re-elected to their positions with Larry Hudkins being elected Chair; Ms. Seng was elected Vice-Chair.

Also discussed was the cell tower issue. As the City has struggled with these towers being placed on City property, the Public Building Commission was involved with towers being placed on government buildings.

Mr. Fortenberry suggested that rather than re-negotiation the Valentino's contract, go to another server. Ms. Harrell noted that the City had not been overwhelmed with bids for the food service management in this building the last time.

Mr. Shoecraft stated that many concerns with the service there would be

alleviated if the Health Department, periodically, would do some type of inspection. He commented that, personally, he has heard a lot of comments that it is not a very clean operation, noting the several Food Server infractions such as the handling of the drink glasses being passed with the server's finger inside. There are a number of little things that are turning people off.

Mr. Fortenberry commented that his lunch tray was on the floor beneath his chair, 'because it stinks. It's rancid'. It was suggested that these issues be addressed with the manager.

Ms. Harrell commented that from listening to Mr. Don Killeen's remarks, what he hears most in complaint is the lack of variety offered.

Mr. Cook asked if the management thought they'd have more business when the Hall of Justice was opened, even though this building is somewhat difficult to access from the center building. There are no walkways between the buildings. If someone is out, they just go on somewhere else for lunch. Ms. Seng noted that many of the Sheriff's personnel come over [to Valentino's for lunch].

Ms. Harrell noted that many employees go across the street to the U-Stop for lunch, with Mr. Fortenberry commenting 'that is, if you smoke'.

2. **PARKS & RECREATION ADVISORY BOARD (Cook)** Mr. Cook reported that the Board had discussed the various resolutions. One was on Public Way Corridors, which was not voted upon because of concern about the maintenance issue in funding. The Parks & Recreation Board believes if the Parks & Rec Department is expected to maintain these Corridors, it will take funds away from the parks. We either need to see that Parks & Rec has enough money to do their job, or this responsibility needs to be someone else's. So, that is still under discussion.

The Board discussed the Haymarket Ball Park name. This is an interesting controversy, because there is some talk of naming the facility "Haymarket Park". But, it's not really a park, and there is some concern on the Advisory Board that people will think it's a park and object to alcohol being served in a City Park. Mr. Cook wasn't sure what it should be named, noting that there will be the naming of the field which is separate from the naming of the whole facility...Haymarket complex. One person from the Haymarket did show up to say that they didn't want it to be named "Haymarket"...anything, if there were no pedestrian connector, because then it would have nothing to do with the Haymarket. As long as there is a pedestrian connector, the Haymarket could be a viable part of the name of the new facility. But the park issue still needs to be resolved.

Mr. Cook reported that there had been updates on the Uni Place Pool, commenting, jokingly, that the project had been cancelled. Ms. Seng advised gently that that was how rumors got started! [Laughter]

Mr. Cook further reported that the communications tower policy was also discussed noting that, obviously, as the City gets more and more towers, more and more of them may go into City Parks. He felt this might become a controversial issue when people start finding towers in the parks rather than trees. On the other

hand, Mr. Cook noted, we like the money the towers will be generating. We must figure out whether that money will go for police officers...if that will be the regular use for it, that should be made clear. Or, might the money that comes from cell tower use go toward a use that is related to where the tower is...if it is in a park - the money going to park upkeep. That's just something to think about. Mr. Cook commented that everybody wants the money...it's been spoken for many times over.

Mr. Camp commented that from the discussion on this topic at the Building Commission, for some reason he had remembered that the leases were \$18,000 per month, which did astound him. Someone, at the Public Building Commission, perhaps it was Mr. Roper, had stated that it was \$18,000 per year. Mr. Cook thought that the approximate amount of the leases was somewhere between \$1,000 - \$1,500 per month which would amount to a rough high-end figure of \$18,000 per year.

Ms. Harrell commented that she was not sure of the amount, but did say that this very issue which is such a new area for everybody in City Government, (this business of leasing space on public property), raises concerns.

One of the concerns that the Planning Department had was that it be a very organized process. This would ensure that, regardless of what department it is that owns the property, it will still follow a very logical procession through the applications process. Then, the private sector applicants who come to the City and ask for space know the contact person, and know what to expect through the process....regardless of where the tower is located.

The importance of this organizational approach to the process was discussed at the Directors' Meeting. The outline developed there was that Jennifer Dam of the Planning Department and Steve Huggenberger in the Law Department, (who are contacts for the appearance and process issue, the appropriateness of location issues, and also the person who negotiates our contracts), would be the beginning point for everybody, regardless of the department involved. Then, the administration will work through this tricky money issue, because -of course- there is no lack of takers on the revenue. But, you don't want the departments being divided among themselves over this issue.

That is the way the process has been set up at this point. Jennifer and Steve have been set up as the managers of these applications for everyone. That way there will be consistency and eventually, a pattern [system] will be developed, so we won't have these questions and concerns any longer.

Mr. Roper stated that the goal is to have a review, but not bog this process down, because there is a Federal law that they have a right to put these towers up, regardless of what [controls] local government might like to exercise at the local level. We're going to find that we don't have much to say about this, so if they're on public property, at least we have a shot at making them aesthetically pleasing.

Ms. Harrell commented that that is correct, because we don't want there to be a double standard between things that go on public property and the private sector.

The new ordinance that we passed has a lot of requirements for the private sector. Mr. Roper noted that the City should just be ready to move in a timely fashion,

because that's going to be the "rap" against the City....that it's too hard to deal with the City and it takes too long. We have to make sure that there is no substance to that charge. So, we'll do what we can.

3. ISPC Fortenberry) Mr. Fortenberry stated that he did not attend. He did talk with Mr. Doug Thomas to see if any substantive issues regarding policies had been discussed. Mr. Thomas indicated that there had been none.
4. BOARD OF HEALTH (Johnson) - CANCELLED - RESCHEDULED TO AUGUST 15TH! - Ms. Johnson will be unable to attend the meeting because the change of date creates a scheduling conflict for her. She hoped that Ms. Brinkman might be able to attend. Mr. Shoecraft noted that Council always receives copies of the minutes of the Health Board Meeting as well.
5. MULTICULTURAL ADVISORY COMMITTEE (McRoy) - CANCELLED - NO AUGUST MEETING
6. PRT Meeting (Shoecraft) - HELD OVER FROM THE "NOON" AGENDA OF AUGUST 7TH - REQUESTED BY MR. SHOECRAFT - Addressed by Mr. Bradley's remarks at the beginning of this meeting.
7. INDOOR ICE FACILITY TASK FORCE (Shoecraft) - HELD OVER FROM THE "NOON" AGENDA OF AUGUST 7TH - REQUESTED BY MR. SHOECRAFT - Mr. Shoecraft requested that this be held over again until the Mayor is back in town.

OTHER MEETINGS REPORTS:

Ms. Seng reported that she had gone to the DLA meeting. She passed out a map and baseball cards...Baseball being the motif of the meeting. She felt the map showed the new parent organization. She reported that Doug Bereuter was certainly hit hard on the issue of a walkway bridge between the Haymarket and the Ballpark, and the other direction as well.. Mr. Camp reported that they were working on a trolley line.

Mr. Camp reported that he had gone to one of the meetings that Mary Jo Livingston held with her neighborhood associations. This concerns the Highway 2 & 70th Street Development. There was a good attendance at the meeting he attended. He noted that Council had received an e-mail from Mike Eppel who attended another

one of the four meetings. There were a lot of concerns expressed. They are having their representatives involved in the discussions.

Mr. Camp indicated that they had incorporated a number of features in the design that “soften” as far as the entryway is concerned. Mr. Camp acknowledged that he understood that Mr. Fortenberry had concerns with that issue.

Mr. Camp commented that he was trying to weigh how much of the concern being expressed by the people at the meeting was related to the frustrations of “not in my backyard” attitude and how much was based on legitimate issues.

He felt the developer and architect and neighborhoods were working things out where legitimate concerns were found.

Mr. Cook asked which portion or side are they talking about developing? Are they thinking of developing just a part of it and leaving the rest, currently undeveloped? Or do their plans cover the whole site and they have plans for stores throughout the site? Mr. Camp answered in regard to two things. Out of that triangular piece, they do not own the “tree farm” area to the south; so that area would be excluded. They were looking at two phases. One would be the western portion with Home Depot and potentially a produce [inaudible] in the east portion. They would have a number of [inaudible].

Mr. Cook asked if they were asking for a change of zone of the entire parcel and only developing a portion, or would it be reasonable for us to say we want to re-zone just the portion to the west.

Mr. Camp stated that they were approached more as [inaudible].

III. APPOINTMENTS/REAPPOINTMENTS - Noted Without Comment

ADDENDUM - NOTED WITHOUT COMMENT

IV. MEETINGS/INVITATIONS – Noted Without Comment

V. COUNCIL MEMBERS

JONATHAN COOK - No Further Comments

ANNETTE McROY - Absent

CINDY JOHNSON - No Further Comments

JERRY SHOECRAFT - No Further Comments

JEFF FORTENBERRY - No Further Comments

COLEEN SENG - No Further Comments

JON CAMP - Mr. Camp had concerns regarding the John Ways situation wondering if there something further that Council needs to do. Mr. Cook stated that the issue would be discussed at the Common Meeting on August 18th [where the County Commissioners would also be in attendance] and the zoning issues would be discussed with them.

Mr. Roper stated that the best thing for Council to do is simply say that the issue is in the legal system and have no comment to either Mr. Ways or his attorney or to anyone else. It's in the legal system and we're going to let it work its way through the process. That's probably the best course of action for us right now.

Mr. Roper stated further, just so Council was aware, the injunction was on the previous ordinance. We obviously debated on whether we were going to appeal that decision or whether we were going to amend the ordinance. We chose to amend the ordinance. We sent that notice that we had amended what Judge Urbom had found offensive. It was the new ordinance that we went out to enforce; which had been on the books for three months.

Mr. Cook indicated that Mr Ways was here when that was passed. Mr. Roper stated that was correct. It had been the night of the ambulance debate and he did not hang around.

Mr. Fortenberry commented on the advertisement on the dollar bills...at "Babydolls...Gentlemen's Theater" Mr. Roper stated that they were aware of that and that it was the great two-edged sword on amending the ordinance.

ANN HARRELL - No Further Comments

DANA ROPER - No Further Comments

VI. REQUESTS OF COUNCIL FROM MAYOR - NONE

VII. MISCELLANEOUS

1. Discussion on the City Council postage for correspondence responses. - *Ms. Ray explained that this Summary was done at the request of Council to track the cost of the standardized responses to constituents correspondence. Noted without Discussion*
2. Council's update on Paul Malzer's hospitalization (Discussion if desired). *After a brief Up-date, Council decided, in lieu of flowers, as requested by Clerk Malzer, to contribute individual donations to the Sesostri Shrine Van 2000 fund. This money will be picked up on 8-15-00 by Mr. Gary Hahn of the local Shrine Office.*

VIII. MEETING ENDED - Approximately 12:48 p.m.